

On motion of Senator Tillett, regular business was suspended, to take up

House bill No. 10, a bill to be entitled "An act to amend chapter 1, of title 29, of the Revised Civil Statutes, and to add to said chapter two articles, numbered 1132b and 1132c, providing for the election of special county judges."

Bill read second time.

By Senator Terrell:

Amend by striking out all between the words "while," in line 29, and "elected," in line 31, inclusive, and inserting the following: "In the trial and disposition of all the cases pending in said court during the absence, inability or such refusal of the county judge."

Adopted.

By Senator Terrell:

Amend by adding the following to the caption: "Providing for the election and qualification of special judges in case of the absence of the regular county judge or of his inability or refusal to hold court, and providing further for the election of a judge when said special judge is absent or is unable or refuses to act."

Adopted.

Bill as amended passed to third reading.

On motion of Senator Tillett, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Morriss.
Bailey.	Rogers.
Beall.	Ross.
Bowser.	Stafford.
Burns.	Stone.
Colquitt.	Terrell.
Darwin.	Tillett.
Dibrell.	Turney.
Goss.	Wayland.
Harrison.	Woods.
Kerr.	Yett.
Lewis.	

Nays—none.

Absent.

Gough. Neal.  
Linn of Wharton. Yantis.

Excused.

Boren. Linn of Victoria.  
Greer. Presler.

Bill read third time and passed.

Senator Neal moved to adjourn to 10 a. m. to-morrow.

Senator Ross moved to adjourn to 10 a. m. Monday.

Lost by the following vote:

Yeas—12.

Atlee.	Harrison.
Bailey.	Kerr.
Burns.	Morriss.
Colquitt.	Ross.
Dibrell.	Wayland.
Goss.	Yett.

Nays—13.

Beall.	Stone.
Bowser.	Terrell.
Darwin.	Tillett.
Lewis.	Turney.
Neal.	Woods.
Rogers.	Yantis.
Stafford.	

Absent.

Gough. Linn of Wharton.

Excused.

Boren. Linn of Victoria.  
Greer. Presler.

The Senate then adjourned to 10 a. m. to-morrow.

## TWENTY-SIXTH DAY.

Senate Chamber,

Austin, Tex., Saturday, Feb. 13.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Linn of Wharton.
Bailey.	Neal.
Beall.	Rogers.
Boren.	Ross.
Bowser.	Stafford.
Burns.	Stone.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Harrison.	Woods.
Kerr.	Yantis.
Lewis.	

Absent.

Colquitt. Wayland.  
Gough. Yett.  
Morriss.

Excused.

Greer. Presler.  
Linn of Victoria.

Prayer by Dr. F. S. Jackson, Chaplain.

Pending the reading of the Journal of yesterday,

On motion of Senator Tillett, the same was dispensed with.

On motion of Senator Stone,

Senator Yett was excused from attendance upon the Senate for to-day on account of important business.

On motion of Senator Terrell,

The Doorkeeper, Mr. Dale, was excused for Friday and Saturday, on account of important business.

On motion of Senator Stafford,

Senators Colquitt and Morriss were excused for to-day, on account of committee business.

On motion of Senator Dibrell,

The Assistant Secretary, Mr. Dodson, was excused for to-day, on account of sickness.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 25, a bill to be entitled "An act to authorize the incorporation of and to regulate insurance educational companies,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 58, a bill to be entitled "An act to amend article 3982, chapter 13, title 86, of the Revised Statute of Texas, relating to the transfer of children in district schools."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Education, to whom was referred

Senate bill No. 149, a bill to be entitled "An act to amend article 3893 of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by inserting in article 3893, after the words "and such board of education may decline to purchase the same unless satisfied they are safe and proper investments for such funds," the following, "and no bonds shall be purchased as an investment for the permanent free school fund that do not bear interest at the rate of 5 per cent per annum."

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on State Affairs, to whom was referred

Senate concurrent resolution No. 10, for appointing a joint committee to examine the Torrens land system of registration.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 55, "An act to amend articles 641 and 642, chapter 2, title XXI, of the Revised Civil Statutes of Texas, relating to the creation of corporations,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 108, a bill to be entitled "An act to authorize owners of land platted into town lots to vacate said plats and parts thereof."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 74, a bill to be enti-

tled "An act to authorize the Commissioner of the General Land Office to forfeit all lands heretofore sold by the State, under any of the various acts of the Legislature, for failure to pay any portion of the purchase price therefor, or interest due thereon."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 151, a bill to be entitled "An act to amend the charter of the city of Sherman, passed by the Twenty-fourth Legislature, by amending section 2 thereof, in regard to the boundary of said city."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 197, a bill to be entitled "An act to incorporate the city of Dallas and grant it a new charter,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 7, a bill to be entitled "An act to enable cities, towns and villages of this State to pay, provide for the payment of, or revive, indebtedness barred by the statute of limitations,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Lewis:

Senate bill No. 198, a bill to be entitled "An act to provide for and regulate suits for taxes by counties, cities,

towns, school districts and school corporations."

Read first time and referred to Judiciary Committee No. 1.

By Senator Stafford:

Senate bill No. 199, a bill to be entitled "An act to repeal article 491, chapter 2, title 13, of the Penal Code of the State of Texas of 1895, relating to offenses pertaining to public roads and irrigation."

Read first time, and referred to Judiciary Committee No. 2.

Call concluded.

The Chair gave notice of signing, and did sign in the presence of the Senate, after the captions had been read.

House bill No. 272, a bill to be entitled "An act to amend an act entitled 'An act to incorporate the city of Austin, to grant it a new charter and to extend its boundaries,' passed by the Twenty-second Legislature, April, 1891, and presented to the Governor on the 3d day of April, 1891, by adding thereto sections 99a to 99n, inclusive, said sections providing for the creation of a board to be known as 'the water, light, and power commission of the city of Austin,' for the election of said commission by the people of Austin, defining the powers and duties of said board, including the right of eminent domain, and providing for the protection of the water and other property and apparatus of the water, light and power system of said city of Austin, and prescribing penalties to better secure such protection, and repeal all laws and parts of laws in conflict with the provisions of this amendment."

Also,

Senate bill No. 57, a bill to be entitled "An act making an appropriation to pay for publishing the constitutional amendments proposed by the Twenty-fourth Legislature."

#### HOUSE MESSAGE.

The following message from the House was received:

Hall House of Representatives,  
Austin, Texas, Feb. 13, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 25, a bill to be entitled "An act to create a judicial district in Harris county additional to the Eleventh Judicial District existing therein, to be the Fifty-fifth Judicial

District; to establish a court and provide for a judge and clerk of such new district, and to regulate the venue of the courts of said districts and the disposition of business therein, and define the jurisdictional boundaries and terms thereof."

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

#### IN SENATE.

House bill No. 25 (see above) was read and referred to the Committee on Judicial Districts.

#### BILLS ON THIRD READING.

The Chair laid before the Senate, Senate bill No. 55, a bill to be entitled "An act to amend articles 641 and 642 of the Revised Statutes of 1895, with reference to private corporations."

Bill read third time, and passed by the following vote:

#### Yeas—13.

Beall.	Lewis.
Boren.	Linn of Wharton.
Bowser.	Neal.
Burns.	Rogers.
Dibrell.	Turney.
Goss.	Woods.
Kerr.	

#### Nays—8.

Atlee.	Stafford.
Darwin.	Stone.
Harrison.	Terrell.
Ross.	Tillett.

#### Absent.

Bailey.	Yantis.
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#### Excused.

Colquitt.	Morriss.
Gough.	Presler.
Greer.	Wayland.
Linn of Victoria.	Yett.

The Chair laid before the Senate, Senate bill No. 77, a bill to be entitled "An act to amend article 119 of title 9, chapter 1 of the Revised Civil Statutes, relating to the admission of idiots and epileptics to the insane asylums of this State."

Bill read third time, and

On motion of Senator Tillett, laid on the table subject to call.

Senator Beall called up

Senate bill No. 114, a bill to be entitled "An act to validate acknowledgments to all instruments constituting links in the chain of title, or affecting the title to any lands in the State of Texas, to quiet title to the same, and to repeal all laws and parts of laws in conflict with the provisions of this act."

10½—Senate.

Which was on the table subject to call, action being on engrossment.

By Senator Beall:

Amend line 20, section 1, by striking out the words "justice of the peace."

Adopted.

(Senator Terrell in the chair.)

By Senator Tillett:

Amend lines 24 and 25, page 1, by striking out the words between the words "United States," in line 24, and the word "notwithstanding," in line 25, and insert in lieu thereof the words "and shall be held to give notice of all the facts therein recited."

Lost.

By Senator Tillett:

In line 16, amend by striking out the words "purports to have been," and insert in lieu thereof the words "has in fact been."

Lost.

(Lieutenant-Governor Jester in the chair.)

By Senator Atlee:

Amend section 1 by inserting in line 25, after the word "the," the words "certificate of."

Adopted.

By Senator Ross:

Amend by striking out all after the word "recorded," in line 25, section 1, of the printed bill.

Lost.

By Senator Linn of Wharton:

Amend by striking out the word "ten," in line 15, and inserting in lieu thereof the word "fifteen."

Lost.

By Senator Tillett:

Amend section 1 by striking out the words "insufficient or in any way defective," in line 27.

Senator Beall moved the previous question on the pending amendment and engrossment.

The motion was seconded, and carried.

The amendment was then lost.

The bill as amended was then ordered engrossed by the following vote:

#### Yeas—19.

Atlee.	Lewis.
Bailey.	Neal.
Beall.	Rogers.
Boren.	Ross.
Bowser.	Stafford.
Burns.	Terrell.
Darwin.	Turney.
Dibrell.	Woods.
Harrison.	Yantis.
Kerr.	

#### Nays—3.

Goss.	Tillett.
Linn of Wharton.	

Stone. Absent.

Excused.  
Colquitt. Morriss.  
Gough. Presler.  
Greer. Wayland.  
Linn of Victoria. Yett.

Senator Beall moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its third reading and final passage.

Lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—17.  
Atlee. Lewis.  
Bailey. Neal.  
Beall. Rogers.  
Boren. Ross.  
Bowser. Stafford.  
Burns. Turney.  
Dibrell. Woods.  
Harrison. Yantis.  
Kerr.

Nays—5.  
Darwin. Terrell.  
Goss. Tillett.  
Linn of Wharton.

Absent.  
Stone.  
Excused.  
Colquitt. Morriss.  
Gough. Presler.  
Greer. Wayland.  
Linn of Victoria. Yett.

Senator Bailey moved to recommit to the Committee on Education

Senate bill No. 25, a bill to be entitled "An act to authorize the incorporation of and regulate insurance educational companies."

Recommitted.

On motion of Senator Ross, regular order of business was suspended to take up

Senate bill No. 133, a bill to be entitled "An act to amend section 20, of the Final Title of the Revised Civil Statutes of the State of Texas, so as not to conflict with article 991 of such Revised Statutes, fixing the terms of the Courts of Civil Appeals."

Bill read second time, with the following Senate substitute:

Substitute Senate bill No. 133, a bill to be entitled "An act to define and prescribe the time for holding terms of the Courts of Civil Appeals in the State of Texas."

Section 1. Be it enacted by the Legislature of the State of Texas: That the terms of the Courts of Civil Appeals in and for the several supreme judicial districts in the State of Texas,

shall commence on the first Monday in October of each year and may continue in session until the first Monday in July of each succeeding year.

Committee substitute adopted.

By Senator Dibrell:

Amend by substituting for the word "may," in line 10 of section 1, the word "shall."

Adopted.

Bill as amended ordered engrossed.

On motion of Senator Lewis, regular business was suspended to take up Senate bill No. 115, a bill to be entitled "An act to amend article 616, chapter 11, title 18, of the Revised Civil Statutes of the State of Texas, relating to abolished town and city corporations."

Bill read second time, and ordered engrossed.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.  
Atlee. Linn of Wharton.  
Beall. Neal.  
Boren. Rogers.  
Bowser. Ross.  
Burns. Stafford.  
Darwin. Terrell.  
Dibrell. Tillett.  
Goss. Turney.  
Harrison. Woods.  
Kerr. Yantis.  
Lewis.

Nays—none.

Absent.  
Bailey. Stone.

Excused.  
Colquitt. Morriss.  
Gough. Presler.  
Greer. Wayland.  
Linn of Victoria. Yett.

Bill read third time, and passed by the following vote:

Yeas—21.  
Atlee. Linn of Wharton.  
Beall. Neal.  
Boren. Rogers.  
Bowser. Ross.  
Burns. Stafford.  
Darwin. Terrell.  
Dibrell. Tillett.  
Goss. Turney.  
Harrison. Woods.  
Kerr. Yantis.  
Lewis.

Nays—none.

Absent.  
Bailey. Stone.

**Excused.**

Colquitt.	Morriss.
Gough.	Presler.
Greer.	Wayland.
Linn of Victoria.	Yett.

On motion of Senator Dibrell, regular business was suspended to take up

Senate bill No. 106, a bill to be entitled "An act to amend article 2302, of title 40, chapter 4, of the Revised Civil Statutes of the State of Texas, relating to the competency of witnesses in actions by or against executors, administrators or guardians, or by or against the heirs or legal representatives of a decedent."

Bill read second time, and ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 101, a bill to be entitled "An act to amend article 879 of title 17, chapter 2, of the Penal Code of the State of Texas, in regard to theft from the person."

On third reading.

Bill read third time and passed.

The Chair laid before the Senate,

Senate bill No. 127, a bill to be entitled "An act to provide for the prosecution and punishment of a person found guilty of inducing, or attempting to induce, a witness not to appear or testify in any case in any court of this State or before and grand jury,"

On third reading.

Bill read third time and passed.

The Chair announced the following

Committee on Roads, Bridges and Ferries — Wayland, chairman; Woods, Kerr, Harrison, Darwin, Linn of Wharton, Rogers, Yantis, Terrell.

The following House message was received:

**HOUSE MESSAGE.**

House of Representatives,

Austin, Texas, Feb. 13, 1897.

Hon. George T. Jester, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 268, a bill to be entitled "An act to create a more efficient road system for Travis county, in the State of Texas."

With engrossed rider.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

**IN SENATE.**

House bill No. 268, "An act to create a more efficient road system for Travis county, in the State of Texas."

Read first time and referred to Committee on Roads, Bridges, and Ferries.

The following privileged committee report was sent up:

Committee Room,

Austin, Texas, Feb. 13, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 57, entitled "An act making an appropriation to pay for publishing the constitutional amendments proposed by the Twenty-fourth Legislature,"

And find the same correctly enrolled, and have this day, at 11.20 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

By consent, Senator Boren offered the following:

Resolved, that hereafter committee clerks of the Senate be and they are hereby instructed to furnish the En-grossing Clerk with the committee report on all bills reported by such committees.

On motion of Senator Goss, the resolution was laid on the table subject to call.

On motion of Senator Bailey, the Senate adjourned until 10 a. m. Monday.

**TWENTY-SEVENTH DAY.**

Senate Chamber,

Austin, Tex., Monday, Feb. 15.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Linn of Wharton.
Beall.	Neal.
Boren.	Rogers.
Bowser.	Ross.
Burns.	Stone.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Lewis.	

Absent.

Bailey.	Stafford.
Morriss.	Yett.

Excused.

Colquitt.	Linn of Victoria.
Greer.	Presler.